

CITY OF BURTON
REGULAR PLANNING COMMISSION MINUTES
JANUARY 14, 1992, 7:00 P.M., COUNCIL CHAMBERS

This Regular Meeting was called to order by Homer Berry, Chairman at 7:00 P.M.

MEMBERS PRESENT: Mayor Charles Smiley; H. Berry; G. Grantner; J. Merrell;
B. Howlett and T. Hammon.

MEMBERS ABSENT: M. White and L. Bertram.

OTHERS PRESENT: J. Major, DPW Director; T. Strasser, Deputy Planning Official
and C. Ladd, Deputy City Clerk.

A. APPROVE AND AUTHORIZE THE MINUTES OF THE FOLLOWING MEETING:

Howlett moved and Grantner supported the following motion:

Approve and authorize the minutes of the following meetings:

1. Special Planning Commission Meeting held December 3, 1991, at 7:00 P.M.
2. Regular Planning Commission Meeting held December 10, 1991 at 7:00 P.M.

Motion carried 6-0.

B. SCHEDULE FIRST PUBLIC HEARING FOR FEBRUARY 11, 1992 AT 7:00 P.M.:

1. LS #91-64

BY: Ross Caldwell
6252 W. Mt. Morris Rd.
Mt. Morris, MI 48458

RE: Lot 64 Garden Acres Subdivision
Section 13
R-1B Zoned

FOR: Residential Use.

2. ZC #192

BY: Burton City Planning Commission
4303 S. Center Rd.
Burton, MI 48519

RE: West side of Dort Hwy., Judd Road
South to Maple Road.
Q-356, 356-1, 356-2, 356-3, 356-3A,
356-4, 356-6, 357, located at 4396,
4420, 4462, 4476, 4488, 4510 S. Dort
and 2533 Maple Rd.
Section 32

FOR: Change zoning district from C-2 to
M-1.

3. ZC #194

BY: Joe Caon
5103 E. Atherton Rd.
Burton, MI 48519

RE: 3200 Berent
Lots 125, 126, 127, 156 & 158
of Holland Heights
Section 28

FOR: Change zoning from R-1C to M-2
for the purpose of Industrial
Expansion.

Howlett moved and Grantner supported the following motion:

Approve and authorize scheduling Lot Split #91-64, Zoning Case 192 and Zoning Case #194 for first public hearing on February 11, 1992 at 7:00 P.M. Motion carried 6-0.

C. FIRST PUBLIC HEARING:

1. LS #91-55

BY: Vivian Rhoden
5339 E. Atherton Rd.
Burton, MI 48519

RE: 5359 E. Atherton Rd.
Q-248
Section 23

FOR: Residential Use.

Mrs. Rhoden said there was an error on the legal description and she has had this corrected and her attorney will get this recorded. She also stated that the address of the property is 5359 E. Atherton Road.

There was no one in the audience who wished to speak.

Mr. Strasser said the only problem with the lot split was the incorrect legal description.

Mrs. Howlett asked if this property would be used for a home.

Mrs. Rhoden said there is a total of 37 acres and after the split, there will be 35.9 acres and this is being sold to her son.

Moved by Howlett, supported by Grantner to approve Lot Split #91-55, contingent upon DPW recommendations and the correct legal description being submitted to the DPW. Motion carried 6-0.

2. LS #91-57

BY: James T. Higgerson
2341 E. Maple Ave.
Burton, MI 48529

RE: 2325 E. Maple Ave.
E 165 Ft. of W 330 of S 270 Ft.
of SE 1/4 Sec 32, T7N, R7E
Q-353

FOR: Residential Use.

James Higgerson, 909 Dell Ave., Flint, MI, represented his father and had nothing to add to his request for the lot split.

There was no one in the audience who wished to speak.

Mr. Strasser said he is buying this land to adjoin to his house. He has no plans at the present time, but in the future, a home may be constructed.

Moved by Howlett, supported by Grantner to approve Lot Split #91-57, contingent upon DPW recommendations. Motion carried 6-0.

3. LS #91-58

BY: Tom Burns
4126 Lapeer Rd.
Burton, MI 48509

RE: 1184 S. Belsay Rd.
Lot 32 Cardinal Gardens
Section 14, C-2 Zoned

FOR: Commercial Development

Mr. Strasser said Mr. Burns had to attend another meeting, but he spoke with him concerning this lot split. There isn't a problem with the split but there was an easement dedicated on the northeast side of the property. This easement needs to be recorded and turned into our office.

Roger Engstrom, 600 Mapleleaf Rd., Lapeer, MI, asked if he needed to do anything to help with this lot split.

Mr. Strasser said Mr. Burns owns the property and he should get this easement taken care of.

Mr. Major said Mr. Burns was informed that if the Board wished to grant this lot split tonight, it would be contingent upon him getting the ingress and egress recorded.

Moved by Howlett, supported by Grantner to approve Lot Split #91-58, contingent upon DPW recommendations and the recording of the North 45 feet easement for the lot split. Motion carried 6-0.

D. AUDIENCE PARTICIPATION:

There was no one in the audience who wished to speak.

E. SITE PLAN REVIEWS:

1. SPR #92-4

BY: Dr. Apparao Mukkamala
4545 Warwick Circle
Grand Blanc, MI 48439

RE: 4001 Walli's Strasse
Lot 13 and W 1/2 of Lot 12 Wallis
Commercial and Industrial Park
Section 15,
C-2 Zoned

FOR: New Construction for a Medical
Facility.

John Wenzel, 1225 Adams St., Lapeer, MI 48446, said he is the architect and is representing the Dr. as he was called to the hospital. Mr. Wenzel said the proposal consists of a 12,000 square foot radiology clinic located on the corner lot in Walli Strasse, next to Flint Pool and Patio. Mr. Wenzel presented a drawing to the Commission Members and said the exterior would be brick.

Mrs. Howlett asked if a setback is required and Mr. Strasser said no.

Mr. Berry asked Mr. Wenzel if he had reviewed the DPW requirements.

Mr. Wenzel replied he had reviewed most of them and has no problems with them. He said they have complied with the parking, setback and drainage issues.

Mr. Strasser stated he and Mr. Wenzel spoke concerning the conflict with the driveway exit and he has approval from the Genesee County Road Commission for the way the plans are set up. Mr. Strasser said the other issue is that the City requires a 12 inch main in parking lots.

Discussion was held regarding the type of structure not fitting into the Bavarian theme used by Mr. Walli. The DPW recommended they check with Mr. Walli for his approval of the building.

Moved by Howlett, supported by Grantner to approve Site Plan Review #92-4, contingent upon DPW recommendations and approval of Genesee County Road Commission for the curb cuts, and a 12 inch storm drain in the parking area and for Mr. Wenzel to speak with Mr. Walli regarding the Bavarian theme for the building. Motion carried 6-0.

E. PERMITTED USE AFTER SPECIAL APPROVAL:

1. SPR #92-1

BY: Premier Land Co., Ltd.
P.O. Box 88
Flint, MI 48501

RE: Warehouse-Distribution Center
Kessell
5490 Davison Rd.
Burton, MI 48509
Q-89-D, Section 11, C-2 Zoned

FOR: 1. Special Approved Use in C-2
Zoning - Warehouse
2. Change of Use - Grocery Store to
Warehouse.

Dale Granger, 307 E. Third St., Flint, MI 48502, said he is the architect. The proposal consists of converting a grocery store into a warehouse distribution center on Belsay Road. There are three (3) bays and the dock will be closed in.

Mr. Strasser said a copy of the staff recommendations were given to the Commission members. This is a site plan review and a Public Hearing. This type of use is allowed in C-2 zoning but only after you have reviewed the plans and a public hearing has been held. The Planning Commission has to determine if the use is proper. Since the loading docks are on the south side of the building, we are recommending that all tractor/trailer traffic use the south side of Belsay Road. Also, there are pallets which can be seen from the road and if they are going to be kept, they should be screened so they cannot be seen from the road. The type of material for screening is up to the Planning Commission to decide.

Mr. Major said there is a 50 foot green area which contains junk and debris and it needs to be cleaned up and maintained.

Al Kessell, 4288 W. Pierson Rd., said he has no problem cleaning the property, but he isn't certain that Premier Land Company owns the property and therefore, he would be trespassing. In addressing the pallets, Mr. Kessell said they too want them enclosed because they are expensive and people do steal them.

Mr. Major suggested that if Planning Commission approves, the applicant could submit a landscaping plan to the DPW. Mr. Granger agreed to submit the plans to the DPW.

Wynn Cooper of Premier Land Company, said he will make contact with the owners of the property so Mr. Kessell could clean up the property.

Mr. Major also said Mr. Strasser has spoken with a representative from Just We Three and all of the tractor/trailers will be removed from the property and there are to be no tractor/trailers parked on the premises.

Moved by Howlett, supported by Grantner to approve Site Plan Review #92-1, contingent upon approval for C-2 Use, proper fencing, landscaping and allow the DPW to approve the landscaping. All semi-trailers will park in the rear of the building and there will be no parking in the front of the building of semi's. Motion carried 6-0.

G. ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #92-2

BY: Joseph A. Drudi/Southmoore C.C.
G-4312 S. Dort Hwy.
Burton, MI 48529

RE: Southmoor C. C./Batting Cages
G-4312 S. Dort Hwy.
Q-347-1, Section 32
Zoned R-1C

FOR: Seven (7) Cage-Batting Cages

Mr. Drudi said he had nothing more to add to his site plan request.

Mr. Strasser said the zoning on this property is residential and he has non-conforming rights for outdoor uses.

Mrs. Howlett asked if the batting cages would be on Dort Hwy. She was informed they would be on the west side of the tropical falls, more on the golf course.

Mr. Drudi said they may decide to have go-karts in the future and make this a family fun center.

Howlett moved and Grantner supported the following motion:

Approve and authorize Site Plan Review #92-2, contingent upon DPW recommendations. Motion carried 6-0.

H. C-4 ADMINISTRATIVE SITE PLAN REVIEWS:

1. SPR #91-65

BY: Consolidated Stores Int'l Corp
dba All For One #635
300 Phillipi Rd.
Attn: Tax Department
Columbus, OH 43228

RE: All For One #635
G-4190 East Court St.
Burton, MI 48509
Courtland Center #753

FOR: New Use Within a Tenant Space.

Mr. Strasser said the idea behind this retail is that everything in the store is \$1.00.

Mrs. Howlett said she had been in the store and they have many different items and they have a large turnover in merchandise. Some of the things are junk and some are a good buy.

Moved by Howlett, supported by Grantner to approve Site Plan Review #91-65, contingent upon DPW recommendations. Motion carried 6-0.

2. SPR #92-3

BY: Sloan Museum "James Johnson"
1221 E. Kearsley St.
Flint, MI 48503

RE: Dinosaur Exhibit
Courtland Center
Burton, MI 48509

FOR: Temporary Use - 1-27-92 to 4-8-92.

Mr. Strasser said the people from the Sloan Museum selected the old Fair Store in Courtland Mall to bring in the dinosaurs exhibit. They originally was going to have this in Flint, but the City of Flint put too many restrictions on them and they decided to come into Burton. Big Boy Restaurant will be supplying box lunches for kids who come in.

Mr. Berry said he just received his invitation to attend the exhibit to be held on Sunday, January 26, 1992 at 7:00 P.M.

Moved by Howlett, supported by Grantner to approve Site Plan Review #92-3, contingent upon DPW recommendations.

I. BOARD DISCUSSION:

Mr. Strasser said he sent all members a copy of the letter received from Genesee County Metropolitan Planning Commission concerning the recent changes. They will now be charging all municipalities for any reviews done in the future.

Discussion was held on this issue and it was agreed that should a case come up that DPW Staff thinks should be reviewed by the County, the DPW will make this determination with the concurrence of the Mayor.

Mr. Berry informed the members of the Board that former Planning Commission Member Brenda Beggs passed away this passed week and flowers were sent from the members.

Mayor Smiley introduced Sue Millard, whom he is recommending to the City Council to fill the vacancy on the Planning Commission by the death of Mrs. Beggs. He said he is certain she will be an asset to this Board.

Mr. Major said if there are cases to go before the County Planning Commission, possibly the fees could be included in the Schedule of Fees or through the fee paid by the applicant. The DPW will get the typical fee structure from the County and bring back to the Planning Commission at the next meeting.

The next regularly schedule meeting will be held February 11, 1992 at 7:00 P.M.

Mr. Berry adjourned the meeting at 7:57 P.M.

Respectfully Submitted,

Cheryl M. Ladd, CMC
Deputy City Clerk

CML